

SUBLEASE AGREEMENT

LE-96-V/06-0106

THIS SUBLEASE AGREEMENT, made and entered into this 1st day of February, 1996, by and between THE STATE OF WEST VIRGINIA, BUREAU OF COMMERCE, DIVISION OF NATURAL RESOURCES, PUBLIC LAND CORPORATION, for the use and benefit of the WILDLIFE RESOURCES SECTION, (hereinafter referred to as Division), and THE STATE OF WEST VIRGINIA, BUREAU OF COMMERCE, DIVISION OF CULTURE AND HISTORY (hereinafter referred to as C & H);

W I T N E S S E T H:

WHEREAS, as mitigation for the construction of the Gallipolis Lock & Dam Facility on the Ohio River, the Department of the Army, Huntington District Corps of Engineers entered into an agreement dated February 20, 1989, and a supplemental agreement dated May 25, 1989, granting a lease to the Division on 836 acres of Corps of Engineers property located at Green Bottom adjacent to the Ohio River, and shown on the attached map highlighted in green, for the development of a wildlife management area.

WHEREAS, located on and being a part of the above-mentioned property is a structure listed on the National Register of Historic Places known as the General Jenkins house.

WHEREAS, the Division and C & H desire to enter into a sublease for the purpose of restoring the property to an appropriate historic period and making it available for public interpretation and programming.

NOW, THEREFORE, for and in consideration of the sum of ONE DOLLAR (\$1.00), cash in hand paid, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereto covenant and agree as follows:

1) The Division does hereby grant, demise and sublease unto C & H, subject to the above-referenced lease with the US Army Corps of Engineers, the structure known as the General Jenkins house and access from State Route 2 thereto, along with four (4) acres of surrounding land as a buffer zone around same for the purpose of the preservation and rehabilitation of said structure. Said structure and property being located and shown on the map attached hereto highlighted in red and hereby made a part of this agreement.

2) The term of this Agreement shall be for a period of EIGHTEEN (18) YEARS from the date hereof.

3) C & H agrees to abide by the terms and conditions as contained in that certain Agreement dated February 20, 1989, and Supplemental Agreement dated May 25, 1989, with the US Army Corps of Engineers.

4) C & H shall provide a management plan to the Division for the utilization of the General Jenkins house approved by the National Advisory Council on Historic Preservation, US Army Corps of Engineers and State Historic Preservation Officer.

5) C & H shall be responsible for providing adequate and stable funding for the maintenance and operation of the General Jenkins house.

6) C & H agrees that a full-time resident will occupy the General Jenkins house for the term of this sublease.

7) C & H shall restrict activities associated with the General Jenkins house during peak hunting days (i.e., the opening of dove, rabbit, deer and the first half of waterfowl season).

8) An annual meeting shall be held with representatives from the Division, C & H, and US Army Corps of Engineers to coordinate activities planned for the upcoming year.

9) It is further covenanted and agreed by and between the parties hereto that the Division shall have the right to cancel this Agreement without further obligation on the part of the Division, upon giving thirty (30) days' written notice to C & H.

IN WITNESS WHEREOF, the State of West Virginia, Bureau of Commerce, Division of Natural Resources, Public Land Corporation, and the State of West Virginia, Bureau of Commerce, Division of Culture and History, have hereunto caused their respective names to be signed hereto, all by proper officer thereto duly authorized, as of the day and date herein written.

ATTEST:

STATE OF WEST VIRGINIA,
BUREAU OF COMMERCE,
DIVISION OF NATURAL RESOURCES
PUBLIC LAND CORPORATION

Danella B. Mullins

By Charles Steltz
Its Director

[Seal]

ATTEST:

STATE OF WEST VIRGINIA
BUREAU OF COMMERCE
DIVISION OF CULTURE AND HISTORY

Barbara Cole

By Amelia D.
Its Commissioner

[Seal]

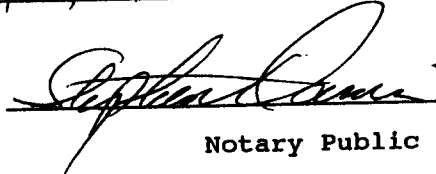


STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, To-wit:

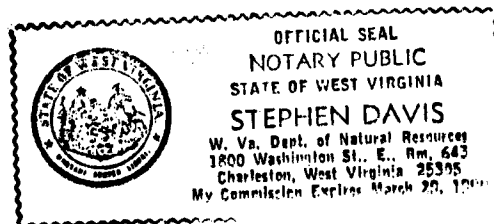
I, STEPHEN DAVIS, a Notary Public in and for the county and state aforesaid, do hereby certify that Charles B. Felton, Jr., Director of the Division of Natural Resources, Bureau of Commerce, State of West Virginia, who signed the foregoing and annexed writing, bearing date the 1st day of February, 1996, has this day in my said County and State, before me, acknowledged the said writing to be the act and deed of said Division.

Given under my hand this 14th day of MARCH, 1996.

My commission expires 3/29/99.


Notary Public

[Seal]

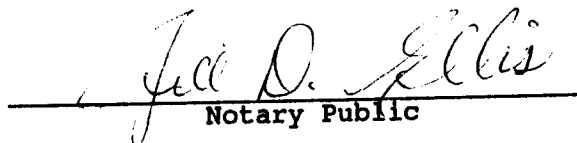


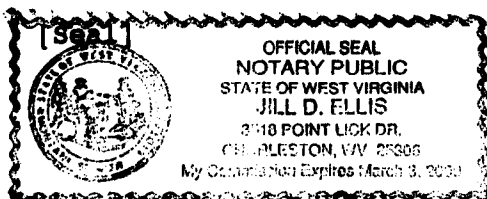
STATE OF WEST VIRGINIA
COUNTY OF KANAWHA, To-Wit:

I, Jill D. Ellis, a Notary Public in and for said county and state aforesaid, do hereby certify that William M. Drennen, Jr., Commissioner of the Division of Culture and History, Bureau of Commerce, State of West Virginia, who signed the writing hereto annexed bearing date the 1st day of February, 1996, has this day in my said county, before me, acknowledged the said writing to be the act and deed of said Division.

Given under my hand this 4th day of March, 1996.

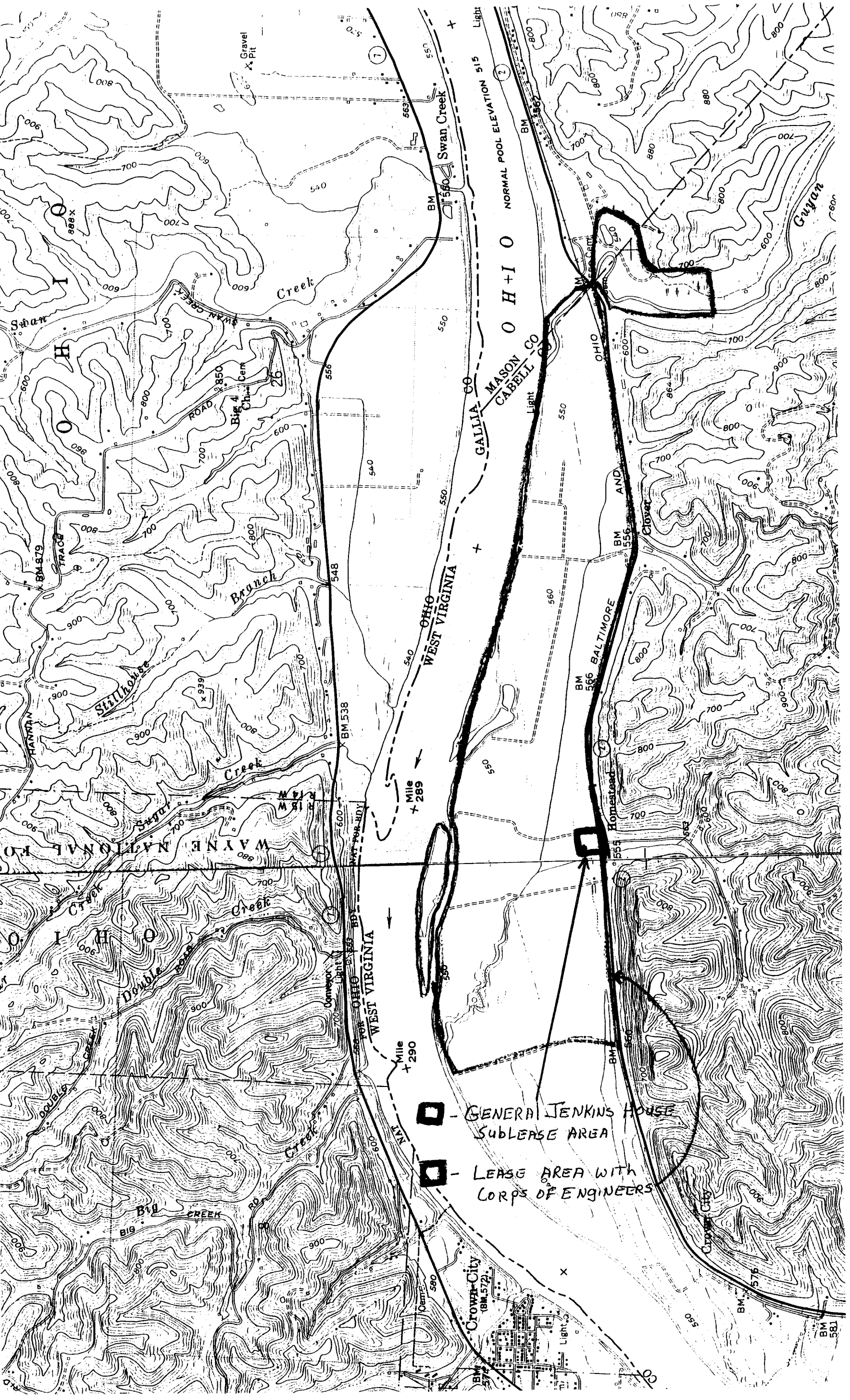
My commission expires 3/3/2000.


Notary Public



Prepared by:

James H. Jones, Administrator
Office of Real Estate Management
Division of Natural Resources
WV Bureau of Commerce
Charleston, WV 25305-0661



GENERAL JENKINS HOUSE
SUBLEASE AREA



LEASE AREA WITH
CORPS OF ENGINEERS